FOR MYSORE STATE

Devl (195 /) Department.

Ml SERIES.

G.O. NO.

4930

Dated 6- XI - 1951

[Despatch Abstract.]

Mines- Mining lease - Iron ore and Red oxide of iron (Bellary) Hospet Taluk - Jambunathanahalli village - S. No 115/B - 450.85 acres - grant of application of Gangadarappa - some terms

REVENUE DEPARTMENT.

Subject.

MINING - Mining lease - Red oxide of iron and iron ore (Bellary) - Hospet taluk - Jambunathanahalli village-S.No.115/B - Application of Sri R.Gangadharappa Report - Submitted.

Station: Madras. Ref.L.8256/51-2. Dt.18-10-51

From

Sri N.C.Thomas, B.A., Joint Secretary.
Sri V.N.Kudva, I.C.S., Commissioner of Commercial Taxes.

Read:- From the Collector of Bellary No.Ref.15721/50-A1 dt.4-8-51.

Read the following:-

Sri R.Gangadarappa of Kakubal village in Hospet taluk has applied for the grant of mining lease for 30 years to mine iron ore and red oxide of iron in S.No.115/B of Jambunathanahalli village of Hospet taluk.

S.No.115/B of Jambunathanahalli is classed as Reserve Forest in the Revenue accounts and is managed by a Forest Panchayat under the control of the forest department. Its total extent is 635.48 acres. Out of this area an extent of 128.00 acres has already been granted on mining lease to Sri V.Nimbkar of Bombay in B.P.Misc.802 dt.23-3-42 and an extent of acres 56.63 has already been recommended to be granted to Sri G.Chennappa in this office Rc.No.2487/50 A dt.4-4-51. The applicant has applied for the remaining extent measuring acres 450.85. The application is in order. He has remitted the application fee of Rs.200/- in chalan No.881 dt.30-9-50 and Rs.500 towards preliminary expenses in chalan No.1299 dt. 14-12-50 in Bellary Sub Treasury.

The District Forest Officer, Bellary, recommends the grant of the mining lease to the applicant.

The Government have renewed the certificate of approval held by the applicant for the year 1951 vide B.P.Rt.2471 dt.16-4-51.

In the circumstances, I recommend that the lease applied for by the applicant may be granted for a period of 30 years to mine iron ore and red oxide of iron ore over an extent of 450.85 acres in S.No.115-B of Jambunathanahalli village of Hospet taluk subject to the general conditions mentioned in sub rule (1) of rule 41 of the M.C.Rules 1949 and also to the special conditions enumerated in sub rule (2) of rule 41 of the said rules as finalised in G.O.Ms. No.3382 Development dt.20-7-51.

I enclose herein the original and the revised applications, two chalans a copy of the Dt.Forest Officer's report with its enclosure and a copy of the sketch showing the area applied for by the applicant.

/True Copy/

II

Copy of Rc.No.5/51 H3 dt.4-2-51 of the District Forest Officer, Bellary to the Collector of Bellary.

Ref: Your No.15721/50-A1 dt.23-12-50.

Copy of Hospet Range Officer's C.No.7/51 dt.15-1-51 is enclosed herewith along with the sketch sent in your above reference.

/True copy/

III

Copy of Rc.7/51 dt.15-1-51 from the Range Officer, Hospet to the District Forest Officer, Bellary.

Ref: District Forest Officer's Rc.5/51 H3 dt.4-1-51.

With reference to above, I submit that I have inspected the area applied for mining lease in S.No.115-B incompany with Sri

contd...

3

Kasinatha Sastry on 11-1-51, the Managing partner of Prabhat Mining Industry of which Sri R.Gangadharappa is the propreitor. This area falls in the Hospet Panchayat of R.F.under supervision contains a very poor type of forest growth consisting of all minor species such as cassia articulata, Dodonia Viscosa, Chomali asiatice, Iscona Panniflora and Gynuas posia mantana. A portion of this S.No.H5.B about 163 acres has already been recommended to Sri G.Chennappa in my Rc.No.277/50. The rest of the area can be given for the above applicant since the area does not contain any useful timber species. The sketch sent with Dt.Forest Officer's Ref.cited above is resubmitted.

/True Copy/

IV

Read the following:- From the Collector of Bellary No.Rec.15721/50 A1 dt.28-9-51.

Read the following:-

Ref: Board's Ref.L.8256/51-1 dt.20-8-51.

E

The length of the area applied for on mining lease ~~by lease~~ by Sri Gangadharappa exceeds four times its breadth and therefore the relaxation of Rule 38 of the M.C.Rules 49 is necessary in this case.

The creation of a buffer area in this case is not desirable as the area as applied for on lease does not cause any obstruction to the adjoining leasees, as a margin of 40Ø feet wide will be left out all round while demarcating the area by the Forest Department. The total demarcation line between two adjoining areas on lease will be 80Ø feet wide and this will serve as a buffer area in the plot so as to render it workable.

The sketch, chalan and application are submitted herewith.

/True Copy/

V

REFERENCE:-

Submitted to the Government.

pp1-3 above

2. In the circumstances reported by the Collector the Board recommends that a mining lease for red oxide of iron and iron ore over an extent of 450.85 acres in S.No.115/B of Jambunathana halli village, Hospet taluk, may be granted to Sri R.Gangadharappa for a period of thirty years subject to the general conditions mentioned in sub-rule (1) of Rule 41 of the Mineral concession Rules and also to the special conditions under sub-rule (2) of the same rule as finalised in G.O.Ms.No.3382 Dev. dt.20-7-51. The Boar also recommends that Rule 38 of the Mineral Concession Rules, 1949 may be relaxed as the length of the area applied for on mining lease exceeds four times its breadth.

X

(V)

For Joint Secretary.

To The Secretary to Government, Development Department, Madras. with application, chalan and sketches to be returned.

KGR:22-10.

Proceedings G.O.No: 3382 Dt: 20.6.July/57 8/11

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Development (J) Department.

Mines - Mining lease - Iron ore and red oxide of iron (Bellary) Hospet taluk - Jambunathanahalli village - S.No. 115/B 450-85 acres - grant of - Applⁿ of Gangadharappa - Sanctioned.

Read:

From the Board of Revenue Ref: No. L.8256/51-2 dt 18/10/57.

G.O. MS. NO. 4938 DATED 6:11:57

In relaxation of rule 38 of the M.C. Rules, 1949, the Government sanction the grant to Sri R. Gangadharappa of Kakubal of a mining lease for iron ore and red oxide of iron for a period of thirty years over an extent of 450-85 acres in S.No. 115/B of Jambunathanahalli village, Hospet taluk Bellary District subject to the conditions mentioned in sub-rule (1) of rule 41 of the ~~Mineral Conc-~~ said ~~cession~~ Rules, ~~1949,~~ and also to the following conditions:

(i) the lessee shall pay rents and royalties in any Government Treasury, before the 10th January of every year.

(ii) The lessee shall pay before the expiry of the lease, or its sooner determination by either party, an amount equal to the annual dead rent or such higher amount as may be fixed by the Collector of the District in his discretion, as compensation for damage to the land covered by the lease.

(iii) the lessee shall not fell trees if any without the previous permission of the Collector and if it is found that he has felled any trees without such permission he shall pay the .....

pay the value of the trees together with a compounding fee subject to a maximum of 10 times the value of the said trees.

(iii) (iv) the lessee shall not operate on the surface of any area prohibited by any authority by laying out roads, erecting buildings, machinery, etc. without the previous permission of such authority or the State Government.

(iv)(v) the lessee shall not use land for surface occupation without giving proper notice to the Collector.

(vi) the lessee shall provide and shall keep at all times at or near the pit head full equipment weighing machines of modern type to the satisfaction of the collector for weighing the minerals collected by him.

(vii) The lessee will exercise the liberties and powers hereby granted in such a manner as to offer no un-necessary or reasonably avoidable obstruction or interruption to the development and working of any minerals not included in this lease and will at all times afford to the Governer and to the holder of prospecting licences or mining leases in respect of any such minerals or any minerals within any lands adjacent to the said lands reasonable means of access and safe and convenient passage upon and across the said lands to such minerals for the purpose of getting, working developing and carrying away the same.

(viii) the lessee shall take such precautions as are necessary to secure pits and shafts by putting up wire fencing or such other protection to the satisfaction of the Collector to prevent accidents.

p.t.o.

(viii) (ix) that on the occurence of any accident, the lessee shall report, such accident immediately to the nearest police station/the nearest ~~the~~ Factory Inspector and the Labour Commissioner,

(x) the lessee shall execute an indemnity bond to Government against the claims of third parties,

(xi) the lessee will at the expiration or sooner determination of the said term deliver upto the Governor all mines, pits shafts, including drifts, levels, waterways, airways and other work (now existing) hereafter to be sunk or made under the said lands (except such as may have been abandoned with the sanction of the Governor or in any ordinary and fair course of working) and all (engines, machinery plant, buildings, structures and other works and conveniences which/at the commencement of the said term were upon or under the said lands and all) engines, machinery, plant and fixtures set up by the lessee below ground level which cannot be removed without causing injury to any mines or works under the said lands (except such of the same as may with the sanction of the Governor have become disused) and all buildings and structures of brick or stone erected by the lessee above ground level in good repair order and condition and fit in all respects for further working of the said minerals,

(xii) ~~If~~/ after the determination of the lease there shall remain in or upon the said lands any engines machinery, plant buildings structures tramways, railways and other works erections and conveniences or minerals or mineral ores or other property which the lessee is entitled to remove from the said lands the same/shall, if not removed by the lessee within one calendar month after notice in writing requiring/their removal is given to the lessee by the Collector be deemed to become the property of the

Government of Madras and may be sold and disposed of for the benefit of the Government of Madras in such manner as they shall deem fit without liability to pay any compensation or to account to the lessee in respect thereof.

(xii) In the event of the existence of a state of war or of grave national emergency (of which the President of India shall be the sole judge and a notification to this effect in the Gazette of India shall be the conclusive proof) the Government after notice in writing to the lessee under the hand of any Secretary to Government of his intention so to do may forthwith take possession or assume control of the works, plant and machinery and premises of the lessee at or in connection with the said mines and may pre-emept at prices fixed by the Governor all the minerals (and all products thereof) extracted from or lying upon the said mines during such possession or control and the lessee shall conform and obey all direction given by or on behalf of the Governor regarding the use or employment of such works, plants, premises provided that a fair compensation which shall be determined by the Governor and shall be paid to the lessee for all loss or damage sustained by reasons or in consequence of the exercise of the powers conferred by this clause; provided also that the exercise of such powers shall not determine the said term hereby granted or affect the terms and provisions of these presents further than may be necessary to give effect to the provisions of this clause.

(xiii) (a) the licensee shall not enter upon or commence prospecting in any reserve forestsituate upon the said lands without thirty days previous notice in writing to the District Forest Officer nor without .....

9

nor without obtaining the written sanction of that officer nor otherwise than in accordance with such condition as that officer may in his absolute discretion prescribe.

(b) the area without the reserved forest limits must be demarcated by a declared fire line of ~~x~~ 40 ft. wide which will be cut and kept cleared by the Forest Department at the expense of the ~~lessee~~ lessee.

(c) the ~~lessee~~ lessee must ~~at~~ at all times permit the Forest Department to enter upon the land for the purpose of maintaining or repairing existing boundary lines within the area and must pay the cost of such maintenance or repair ~~as~~ as determined by the District Forest Officer.

(d) the ~~lessee~~ lessee must take suitable precautions to prevent fires from spreading into the adjoining reserve forest from the land and if such fires accidentally occur he must render all possible assistance in putting them out.

(e) the ~~lessee~~ lessee shall not cut any trees or growth on the area granted in excess of 20 per cent of the number of trees on the whole area under the ~~lease~~ lease without the previous permission of the D.F.O. and the value of such trees etc. shall be paid for ~~by~~ by the ~~lessee~~ lessee at rates to be fixed by the District Forest Officer. He must not deface or interfere with any boundary stone or marks; if any boundary mark is accidentally damaged, he must bring ~~it~~ the matter immediately to the notice of the Range Officer.

(~~xiv~~) The lessee should keep the stocks of beryl or any other "prescribed substance" under section 3 of the Atomic Energy Act, No.XXIX of 1948, if they occur in the property covered by the lease with a view to making them available to the Government of India.

2. The rates of ~~xxx~~ royalty, dead rent and surface .....

Surface rent shall be as follows:-

Royalty: Iron ore:

(a) used for an extraction of iron — As 8 per ton.

(b) used for other purposes — Re 1 per ton

Dead rent: (a) Rs 5/- (Rupees five only) per acre per annum, with an area is used for extraction of iron

~~DEAD RENT~~ (b) Rs. 10/- (Rupees ten only) per acre per annum. if area is used for other purposes.

SURFACE RENT: At such rate as the land revenue and cesses assessable on the land are paid.

3. The applicant should pay a deposit of Rs 1000/- as prescribed in rule 36 of the Mineral Concession Rules, 1949, before the lease is actually executed.

4. The form of the lease deed is ~~being drafted~~ under report separately and the terms and conditions stated in the above paragraphs are subject to such further modifications, additions and alterations as may be included in the lease deed when finalised.

5. Pending the execution of the lease deed in the proper form, the Government have no objection to the lessee starting mining operations after giving an undertaking

(1) to abide by the above conditions and also the conditions governing the lease which will be hereafter prescribed by the Government and

(2) to give possession of the land to Government if so required by them at any time before the execution of the lease deed without liability to pay any compensation to him for any expenditure ~~incurred~~ incurred by him and

(3) after paying an additional security deposit of Rs. 500 for the due fulfilment of those conditions.

6. The Collector of Bellary is requested to take .....

take necessary further action.

2.11.51.

2/11/51

To the Board of Revenue. (with records) at (X)
To the Collector of Bellary
To Sri R. Gangadharappa,
Kakubal, Hospet Tk, Bellary dt.

Spare copies 3.

C. entry against for executing the lease deed and the indemnity bond.

OFFICE OF THE DIRECTOR OF INDUSTRIES AND COMMERCE: MADRAS

From
The Director of Industries and Commerce,
Cathedral P.O.
Madras 6.

To
The Secretary to Government,
Development Department,
Fort St. George, Madras.

Ref.J/2373/52-2 dated 21-8-1952.

97573

Sir,

Sub: Mining - Mining lease - Iron ore and red oxide of iron - Bellary - Hospet Taluk - Jambunathahalli Village - S.No. 115B - Ext.450-85 acres - granted to Sri R. Gangadharappa - discrepancy in the area granted - reduction of area - report - submitted.

Ref: From the Collector, Bellary Roc.15721/50/A.1 dated 14-6-52.

I submit herewith a copy of the above letter received from the Collector of Bellary and in the circumstances reported therein I suggest that the extent of 450-85 acres granted to Sri R. Gangadharappa in G.O.Ms.No.4938 Development dated 6-11-1951 be revised as 387-63

p.t.o.

PP 5-96 (D)

acres and necessary amendment issued.

for Director of Industries and Commerce.

sg.22.8.
Encls:

15/16

Copy of the letter Roc.No.15721/50/A.1 dated 14-6-1952 of the Collector of Bellary addressed to the Secretary to Government, Development Department, Fort St. George, Madras through the Director of Industries and Commerce, Madras 6.

Sub: Mines - M.L. - Iron ore and Red Oxide of Iron - Hospet Taluk - Jambunathahalli Village - S.No.115-B - Extent 450-85 acres granted to Sri R. Gangadharappa - discrepancy in the area granted - reduction of area - report - submitted.

Ref: This office Roc.No.15721/50/A.1 dated 4-8-1951 to the Secretary, Board of Revenue, Madras.
G.O.Ms.No.4938 Development Department dated 6-11-1951.

PS-96 (D)

As already reported in this office reference cited above S.No.115-B of Jambunathahalli Village measures 635-48 acres on the whole and it has been leased out to the following mine owners:--

Name of the Mine Owner.	Extent granted on M.L. A. C.	Authority Sanctioning the lease.
(1) Sri Vishnu Nimbkar, Bombay	128 00	B.P. Mis. 802 dated 23-3-1942 and renewed in G.O.Ms.No.2180 Development dated 20-5-1952.
(2) Sri G. Chennappa, Bellary.	56 63	G.O. Ms. No. 3811 Development dated 22-8-1951.
(3) Sri R. Gangadharappa, Kakubal	450 85	G.O.Ms.No.4938 Development Department dated 6-11-1951.
	635 48	

Attention is invited to the combined sketch submitted herewith. The area of 56-63 acres granted to Sri Gangi Chennappa of Bellary extends upto the red line marked in the sketch. The extent of 128 acres granted to Sri Vishnu Nimbkar of Bombay comprises of Part I and 2 marked in the sketch. The remaining extent of 450-85 acres was recommended to be granted on M.L. to Sri R. Gangadharappa in this office Roc. No. 15721/50/A.1 dated 4-8-1951 on the strength of the report of the Tahsildar, Hospet and the same was sanctioned to him in G.O.Ms.No. 4938 Development Department, dated 6-11-1951.

(D)

Now the Tahsildar, Hospet brings it to my notice that the area of 450-85 acres recommended to Sri R. Gangadharappa was arrived at arithmetically by deducting 128 acres granted to Sri Vishnu Nimbker and 56-63 acres granted to Sri G. Channappa of Bellary. As the exact area to be granted on lease to Sri R. Gangadharappa independently computed, it has resulted in the inclusion of 'Nisani' hill area which had been excluded while granting a M.L. to Sri Vishnu Nimbkar and also the small plot of land (3rd Part) between the areas of Sri Vishnu Nimbkar and Sri G. Channappa as seen from the sketch. Due to the above method of arriving at the area to be leased out to Sri R. Gangadharappa a larger extent than what was actually intended to be granted on lease has been erroneously included in the lease order i.e. instead of 387 acres 63 cents the extent of lease has been noted by mistake as 450-85 acres. The big plot (marked 'C' in the sketch) was in view while recommending the M.L.

A

p.t.o.

application of Sri R. Gangadharappa in this office Roc.No.15721/50/A.1 dated 4-8-1951. Moreover the grant of M.L. to Sri R. Gangadharappa is covered by only one M.L. application. Three separate applications with necessary fees would have been obtained from him if it was intended at that time to grant to the applicant three detached plots. In fact the applicant applied only for the big plot. The other complications have set in as the area of the big plot was furnished as 450-85 acres by arithmatical calculation as already explained above. Therefore the area of 450-85 acres granted to Sri R. Gangadharappa required revision as shown below:--

	A.	C.
Actual extent granted to Nimbkar	127	78
" G. Channappa	56	63
" of the small detached plot (3rd plot)	44	00
" Nisani Hill area	19	44
	247	85
Therefore the area of the big plot applied by R. Gangadharappa	635	48
Less:	247	85
	387	63

I therefore request that the extent of 450-85 acres granted on M.L. to Sri R. Gangadharappa in G.O.Ms.No.4938 Development department dated 6-11-1951 may kindly read as 387-63 acres for the reasons stated above. I request that the Government may be pleased to issue amendment to the above effect to their G.O.Ms.No.4938 Development Department dated 6th November 1951. A combined sketch submitted by the Tahsildar, Hospet is enclosed.

Sd/- xx
for Collector.

/ true copy /

Issue
Vol 12.9.52. 98/1952

Dev (J)

Memo. No. 97573 - J/52 - 1 dt 12 Sept. 52.

Mines - mining lease - Iron ore and red oxide of iron - Bellary dt - Hospet tk - Jambunathanahalli village - Grant to Sri R. Gangadharappa - modification of extent granted - orders issued.

Ref: G.O. No. 4938 Dev dt 6-11-51.
From the AEtc, J/2373/52-2 dt 21/8/52.

In partial modification of the orders issued in G.O. No. 4938 Dev dt 6.11.51, the Govt. direct that the extent of land to be granted to Sri R. Gangadharappa on a mining lease in S. No. 115-B in Jambunathanahalli village,

[PTO

2.

Hospet Tk, Bellary dt, shall be 387-63 acres instead of 450-85 acres.

10/9/52

11/9/52

12.9.52

To Sri R. Gangadarappa
Kakubal, Hospet Tk,
Bellary dt

To The Tahsildar of Bellary

30/5"

1 Dev.(J)...

Sub:. Mines - Mining lease - Iron ore and red oxide of iron (Bellary) - Hospet tk - Jambunathanahalli village - 450-85 acres in S.No. 115/B - Application of Sri R.Gangadharappa.

Xout:

From the Bd. of Rev, Rej.L.8256/51-2 dt 18.10.51.

As I.

Sri A.Gangadharappa of Kakubal (Bellary dt) has applied for the grant of a mining lease for iron ore and red oxide of iron for a period of 30 years over an extent of 450-85 acres in S.No. 115/B of Jambunathanahalli village, Hospet tk, Bellary dt. The applicant has paid the requisite fee of Rs 200/- and also the initial deposit of Rs 500/-. He holds a certificate of approval for 1951.

2. The land applied for is situated in a forest area. The D.F.O has recommended the grant of the lease. The Collector of Bellary and the Bd. of Rev have also recommended the grant of the lease subject to the usual conditions as specified in Go.No. 3382 Dev dt 20-7-51.

3. As the area of the plot applied for exceeds four times its breadth, the Collector and the Bd. have recommended the relaxation of rule 38 of the M.C. Rules, according to which the length should not exceed four times the breadth. The State Govt have powers to relax this rule.

It is for orders whether the recommendation of the Collector and the Bd. will be accepted and the lease applied for granted to the applicant. Subject to orders, a draft order is submitted for approval.

Kay
2.11.51.

2/11/51

3/11

5/11 HM (Dev)

SECRETARY TO GOVERNMENT
5 NOV 1951
DEVELOPMENT DEPARTMENT

SECRETARY TO GOVERNMENT
5-NOV 1951
DEVELOPMENT DEPARTMENT

DWH/J

As

(Orders on p 1 above)

necessary entries have been item 73 of M.L.R. made in the Rgr. of mining concessions.

The draft order may now issue.

7/11/5 | 7.11.51

Rg
7/11/51